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EPA Region 5 Records Ctr.



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Preliminary Assessment - RCRA Referral
Paxton Landfill, U.S. Drum

Norm Niedergang /s/
Engineering Section

Barbara Magel /s/
Legal Support Section

Arnie Leder, Chief
Compliance Section

THRU: William Miner, Acting Chief
Engineering Section /s/

Roger Grimes, Chief
Legal Support Section /s/

The following information is based on discussions held at the Illinois Environmental Protection Agency (IEPA) office in Aurora, Illinois, on February 13, 1980. Ms. Mary Wong Schroeder and Mr. Ken Bechley represented IEPA at the meeting. Additional information was gained through several telephone conversations with Mr. Bechley and also with Ms. Ann Markey of the Illinois Attorney General's office.

1. Paxton Landfill

a. Site Identification: Paxton Landfill, between 116th and 119th Streets, east of Stony Island Avenue, Chicago, Illinois.

The owner of this site is the Paxton Landfill Corporation; majority interest holder Mr. Steve Martel. The on-site manager has been Mr. Clarence Reynolds, though Mr. Bechley of IEPA feels that although Mr. Reynolds is still on-site, his position may have changed.

b. Background and Description: The Paxton Landfill Corporation's property is divided into two principle sites, referred to as Paxton I and Paxton II. The Paxton I site has been inoperative since 1976, and the only apparent remaining problem with that area is a need for additional final cover. The active area of landfill operation and IEPA enforcement effort is Paxton II. That area is adjacent to Paxton I, the original landfill location, and was purchased by the Paxton Landfill Corporation when Paxton I was full. In April, 1976, when the Paxton Corporation first began to operate Paxton II, they had not applied for the necessary state developmental permit. The Illinois EPA secured an injunction against Paxton ordering them to discontinue landfill operations on the new area until they obtained the requisite permits. In 1977, Paxton Landfill Corporation was issued a developmental permit for the Paxton II site. However, the Corporation failed to develop the facility in accordance with permit requirements. IEPA obtained a Preliminary Injunction against Paxton on July 24, 1978, closing the facility for forty-five days. During that time period, Paxton and IEPA entered into negotiations which resulted in a further subdivision of Paxton II into three segments for purposes of future permitting and compliance monitoring.

Paxton II, parcel III - This area represents the section of Paxton II virtually filled during the Corporation's initial unpermitted and later noncomplying operation of the site. Illinois EPA has refused to issue an operating permit for this parcel. A developmental permit was issued requiring seals and berms to be constructed around the area previously filled.

Paxton II, parcel II - This section of Paxton II remains undeveloped although it is included in the developmental permit of July, 1978.

Paxton II, parcel I - Currently, this is the active area of the Paxton II site. A developmental permit was issued for this parcel in July, 1978, which requires IEPA approval of each facet of the landfill development on a segment by segment/ trench to trench basis. Once a trench segment has been developed according to IEPA specifications as to seals, depth, length and width, an operating permit may be applied for and approved for that single trench segment. In accordance with this permitting scheme, Paxton II, parcel I has been divided into proposed and actual trench areas, A, B, & C. On August 3, 1979, Paxton applied for an operational permit for segment I, trench A, parcel I. After inspection of that excavation by IEPA personnel, the application was denied because the trench section was improperly prepared. In September, Paxton reapplied for the permit and after re-inspection, an operational permit was granted for that one small area. Under the existing developmental permits, that same process of step-by-step review will be followed for any and all future operations on the Paxton Landfill Corporation's property.

In addition to the violations of the original 1977 developmental permit, IEPA also found that Paxton Landfill Corporation was accepting liquid wastes and sludges without the required Supplemental Permits. Consequently, on October 16, 1978, a Permanent Injunction was issued against Paxton ordering them not to accept any more special wastes until Supplemental Permits were granted. Presently, Paxton does have a few Supplemental Permits for the disposal of containerized specified liquid wastes and sludges. Some of these permits were issued to Paxton as part of the clean-up of the U.S. Drum facility. Those permits include: 22,000 gallons of synthetic resins from Cargill; 71,500 gallons of latex wash water from P.P.G; 37,400 gallons of fatty acids manufacturing waste from Armac; and 15,000 gallons of process lubrication oils from Allis Chalmers. Chemical analysis was performed on the wastes, but did not include an organic scan or analysis for the full range of priority pollutants. The IEPA files contain evidence that Supplemental Permits are denied when such disposal would be inappropriate such as when insufficient refuse to absorb the liquid waste was available in the landfill.

c. Characterization of Site Activity: The majority of the material disposed of at this landfill is solid refuse. Some special types of waste include sludge from drum hauling and conditioning operations, residue from incineration operations and inking wastes.

The landfill is located on a three foot thick sand layer on top of a ten foot natural clay barrier. IEPA permits require side lining placement between each of the construction trenches. Paxton Landfill Corporation's operation is located in a highly industrialized area with Lake Calumet to the west and steel mills and other waste processing operations on other sides. Due to the industrialized nature of the area, the shallow aquifer in the region is already degraded. Any direct contribution to this condition by earlier Paxton landfill operations would be difficult to demonstrate.

d. Hazard Description: The present operation at Paxton Landfill does not appear to be creating potential imminent or substantial endangerment to human health or the environment.

e. Inspection Activity: IEPA files indicate that inspections of the Paxton operation are conducted several times each month. These inspections are made by IEPA personnel without prior notice being given to Paxton operators. Monitoring wells have been placed on the property and test results are reported on a quarterly basis to IEPA. In addition, the IEPA collects samples itself once a year. The yearly samples are analyzed for 20-25 parameters by IEPA.

A supplemental inspection of the site was conducted by Mr. Hak Cho of the Air & Hazardous Materials Division on February 14, 1980. Mr. Cho reported no instances posing a potential imminent or substantial hazard.

f. Conclusion: Due to the State's continued surveillance and permitting activities, no Federal enforcement action is recommended at this time.

2. U.S. Drum

a. Site Identification: U.S. Drum, 2200 East 110th Street, Chicago, Illinois.

b. Background: This site was originally owned by the Earth II company and managed by Mr. Anthony Tellis. The incinerator which still remains on the property was constructed by Earth II. In 1976, there was a fire on the site and Mr. Tellis abandoned the facility. Earth II went out of business. The U.S. Drum site was next acquired by the Allburn Company (President Julia Hagerty). Mr. Steve Martel leased the property from Allburn and began managing the drum storage and transfer facility in 1979. Under the name of Chemical Incineration, Martel also entered into a contract with Allburn to run the incinerator.

When Illinois EPA first got involved with the U.S. Drum site in 1979, there were about 6000 drums and 4 open lagoons of assorted hazardous wastes on the property. In addition, Martel had expanded the operation to a small section on the southern end of the Paxton Landfill Corporation property. Currently, the U.S. Drum site and the Paxton expansion are both inactive. IEPA inspectors visit the properties several times each month to insure that an April, 1979, court order closing the facility and requiring corrective measures is complied with.

c. Characterization of Site Activity: The U.S. Drum facility generally processes special waste material received in drums (some references to possible acceptance of bulk waste are documented in U.S. EPA files). When the facility was operating, the waste drums delivered to the facility were allegedly directed to one of three possible dispositions:

- 1) Development of secondary fuels at Environmental Protection Corp. (EPC) in Chicago or at Environmental Waste Removal (EMR) located in Coal City, Illinois;
- 2) Recovery of reusable active solvents also at EPC and EMR; or
- 3) Disposal.

The actual disposition of materials which were accepted by U.S. Drum is largely undocumented. Ultimate disposal of some of the non-recoverable wastes apparently included incineration at Hyon or Allburn facilities or disposal at Paxton Landfill; each of these facilities is located in the immediate vicinity of the U.S. Drum site. Some of the wastes were sent to Paxton Landfill under Supplemental permits as noted in the memorandum on that operation. Information was received by the U.S. EPA that some of the drummed wastes were allegedly taken to the 9th Street Dump in Gary, Indiana. (This site was supposedly closed under a court order at the time.)

Mr. Martel has now removed all but 1000 drums from the U.S. Drum site. Those 1000 drums were supposedly left by the previous operator, Mr. Anthony Tellis of Anthoplex Corporation. The drums are supposed to contain carbonized and soaked substances from the 1976 fire. The other 5000 drums that were on site when the 1979 Court Order was issued have been removed in violation of that court's condition that they approve all disposal plans.

d. Waste Related Information: Citizen's reports documented in U.S. EPA files indicate that wastes of any kind and origin, except cyanides, were accepted at the U.S. Drum facility. U.S. Drum indicates that the wastes at their site at the time of the Court Order included the following:

<u>Source</u>	<u>Quantity</u>	<u>Type</u>
P.P.G. Company Oak Creek, Wisconsin	72,985 gallons 1,327 drums	latex wash water
Cargill Corp. West Dundee, Illinois	22,990 gallons 418 drums	synthetic resins
Uniroyal Corp. Mishawaka, Indiana	22,605 gallons 411 drums	unknown
Approved Industrial Disp. Grand Rapids, Michigan	2,965 gallons 163 drums	unknown
Sun Chemical Company Northlake, Illinois	16,985 gallons 300 drums	unknown
Enterprise Paint Mfg. Co. Chicago, Illinois	28,400 gallons 518 drums	unknown
Arnak Inc. Morris - McCook, Illinois	37,400 gallons 680 drums	filter cake from fatty acid production from vegetable oils
1976 fire at site operated by Mr. Anthony Tellis, Anthoplex Corp.	2,200 drums	carbonized and ashed residue from fire
	1,114 empty, unwashed drums	
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Total	210,430 gallons of waste 6,026 full drums 1,114 empty drums	

e. Hazard Description: IEPA indicated flammable and ignitable wastes were handled in past operations. These wastes were of direct and imminent hazard to workers handling the wastes, who were observed smoking while handling the wastes.

Limited controls have been placed on the U.S. Drum operation prior to IEPA's adoption of a permitting system for this type of facility. A Court Order was issued on April 10, 1979, when wastes were found to be leaking from ruptured waste drums. The State's complaint at that time stated that the storage of waste at the U.S. Drum facility was "likely to" render groundwater and surface waters in the area "harmful, detrimental, and injurious to public health, safety, and welfare, and to domestic, commercial, industrial, agricultural and recreational uses."

No data is available to indicate the potential harm being presented by the contaminated soils remaining on the site. The Court Order did not require removal of contaminated soil.

f. Regulatory Actions: The Illinois EPA has obtained a Circuit Court Agreed Order dated May, 1979, permanently closing the 119th Street U.S. Drum facility. That order requires Martel to construct a berm around the north and east sides of the site, place a clay seal over the area, and label, segregate and ultimately remove (with IEPA approval as to disposal plans) all drums. Martel removed the majority of the drums without IEPA approval. Mr. Tom Markey of the Illinois Attorney General's office has now informed Martel that he must submit documentation of type, quantity, destination and removal date for all wastes taken from the site or face a contempt of court action.

A state and federal inspection team examined the site in February, 1980. They found that the berms are under construction and only the unlabeled drums left by Tellis remain on the site. The Paxton Landfill Corporation expansion has been completely cleared off. Martel has submitted an application for a developmental permit for a new drum storage and transfer facility. That application is now under consideration in Springfield.

The Air Branch of IEPA is also interested in the activities of Steve Martel. As the Chemical Incineration Company, Martel operated the Allburn incinerator intermittently from April, 1979 through the fall of 1979, without obtaining the necessary state permit. Allburn professes to have been ignorant of Martel's failure to get a permit. According to Allburn, Martel now has absolutely no connection with their company or the incinerator. They have hired a private engineering firm (Pollock Engineering) to upgrade the incinerator. IEPA Air Branch is considering enforcement action against Martel and Allburn.

g. Inspection Activity: The situation at U.S. Drum is normally determined at the same time that inspections are performed at Paxton Landfill. Mr. Hak Cho visited the site on February 14, 1980, and reported no instances posing a potential, imminent or substantial hazard.

h. Conclusion: Due to the State's continued enforcement, surveillance and permitting activities, no Federal enforcement action is recommended at this time.

cc: Fenner
Miner/Niedergang
Crimes/Rothschild/Wagel
Leder
Cho, AUBN
HHS file/Rogers/Salmat

NIEDERGANG:dmr CL 408 3/13/80

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